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OFFICE OF PETITIONS

PATENT

GNE.3230R1C25

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Goddard, et al.
Appl. No. : 10/063,537
Filed : May 2, 2002
For : ANTIBODIES TO A POLYPEPTIDE
ENCODED BY A NUCLEIC ACID
UNDER-EXPRESSED IN STOMACH
AND LUNG TUMOR
Examiner : J. Seharaseyon
Group Art Unit : 1647

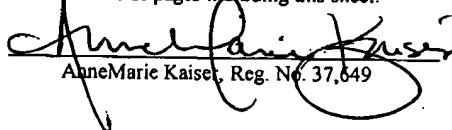
CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments, are being transmitted via facsimile to the USPTO Office of Petitions Fax No. (571) 273-0025 on the date shown below:

September 28, 2006

(Date)

Total number of pages including this sheet:


AnneMarie Kaiser, Reg. No. 37,649PETITION TO WITHDRAW FROM ISSUANCE UNDER 37 C.F.R. § 1.313(c)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Arlington, Virginia 22313-1450

Dear Sir:

Applicants hereby petition the Office to withdraw the above-identified patent application from issuance. This petition is being submitted together with a Request for Continued Examination in compliance with 37 C.F.R. § 1.114 and the fee set forth in §1.17(h).

Withdrawal of the application is necessary to allow Applicants to file a corrected claim to priority. Applicants were not aware of the error in the existing priority claim prior to payment of the issue fee, but have made every effort after discovery of the error to correct it in a timely fashion.

Applicants believe they have provided good and sufficient reason why withdrawal of the application from issuance is necessary, and respectfully request that this petition be granted, together with the Request for Continued Examination filed herewith.

10/02/2006 CKHLOK 00000011 111410 10063537

01 FC:1464 130.00 DA

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.The Commissioner is hereby authorized to charge the necessary fees, including any fees for additional extension of time or any additional fees, which may be required, now or in the future, or credit any overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated:

Sept. 28, 2006

By:


AnneMarie Kaiser

Registration No. 37,649

Attorney of Record

Customer No. 30,313

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